

## **REMARKS**

Claims 1-53 were pending as of the action mailed on December 7, 2007.

Claims 24-31, 43 and 53 have been cancelled.

Claims 1, 11, 16, 20, 23, 32, 37, 38, 39, 42, 44, 47, 48, 49 and 52 are being amended. No new matter has been added.

Reexamination and reconsideration of the action are requested in light of the foregoing amendments and the following remarks.

### **Art Based Rejections**

The claims were rejected as allegedly anticipated by Eudora® Email User Manual for Windows, Version 5.1 ("Eudora") or as allegedly unpatentable in view of Eudora, in some cases in light of further references.

#### **Claims 1, 32, and 44**

The applicant has amended claim 1 to make clear that in response to one user input gesture, by which the user selects a marker, the program of claim 1 establishes the sort key associated with the marker as the most significant sort key, and maintains the positions in the sort order of the other sort keys and the sort directions of the other sort keys as they were prior to the user input gesture. Thus, if several markers are selected by several sequential user input gestures, the most significant sort key will be the last one selected.

In Eudora, just the opposite is true. This is made clear in the section titled "Complex sorting," in the middle of page 132 of Eudora.

In addition, in Eudora, to cause a complex sort to be done, the user must hold down the control key and click on all the columns that the user wants to sort on. This is different from the operation of the program of claim 1, which maintains the positions in the sort order of the other sort keys and the sort directions of the other sort keys as they were prior to the user input gesture. Because Eudora uses a single user input gesture – single, because it involves the continuous holding down of a control key – to define all of the multiple sort columns and their order, it cannot and does not maintain the sort order and the sort directions of the other sort keys as they were prior to the user input gesture.

Claims 32 and 44 have limitations corresponding to those of claim 1.

For the foregoing reasons, the applicant respectfully submits that the rejection of claims 1, 32 and 44 should be withdrawn.

Claims 11, 37 and 47

Claim 11 depends from claim 1. It further recites that when the single user input gesture selects the sort key that is already the most significant key, it changes the sort direction of the most significant key. As explained above, the positions and directions of the remaining keys remains unchanged.

In Eudora, by contrast, the same action causes the sort to be cancelled. See paragraph just below the figure on page 132.

The examiner referred to page 105 of Eudora as teaching this feature (“clicking on the up arrow changes it from ascending to descending”). The applicant is unable to see this feature where indicated. Instead, on page 131, the applicant sees a teaching inconsistent with what the claim recites: “If you hold down the Shift key and click the column header, the sorting becomes descending.”

This fails to meet the limitations for two reasons. First, the claim recites a toggling of the sort direction. Second, the toggling occurs only if the gesture selects the most significant key. In Eudora, whatever action occurs, occurs regardless of whether the selected column is the most significant one, and therefore the gesture cannot meet the limitations of claim 1.

Claims 37 and 47 have limitations corresponding to those of claim 11.

For the foregoing reasons, the applicant respectfully submits that the rejection of claims 11, 37 and 47 should be withdrawn.

Remaining Claims

The remaining claims depend from or correspond to the claims addressed above, and are allowable for at least the reasons that apply to those claims.

Withdrawal of the rejections of the pending claims is therefore respectfully requested.

### **Interview Summary**

The applicant thanks Examiner Belousov for the courtesy of an in-person interview on January 22, 2008, with applicant's representatives, Hans R. Troesch and Arrienne M. Lezak. During the interview, the applicant discussed how claims 16 and 17, for example, can be understood in terms of adding or removing sort order items to or from a stack. The applicant also discussed that a "predetermined" number, as recited in the claims (e.g., claim 15), is a limited number, but is greater than 1, and is limited in the sense that it is smaller than the number of columns in the table . No agreement was reached.

### **Conclusion**

For the foregoing reasons, the applicants submit that all the claims are in condition for allowance.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, the applicant's decision to amend or cancel any claim should not be understood as implying that the applicant agrees with any positions taken by the examiner with respect to that claim or other claims.

Please apply any charges not otherwise paid or any credits to deposit account 06-1050.

Respectfully submitted,

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